

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Shipman,

Plaintiff,

**ORDER**

-against-

19 Civ. 5636 (KMK)(AEK)

Commissioner of Social Security,

Defendant.  
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**THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.<sup>1</sup>**

On August 3, 2020, Magistrate Judge Smith directed Plaintiff to file a letter updating the Court on the status of its request for an extension from the Social Security Administration Appeals Council. ECF No. 20. In response, Plaintiff's counsel reported that when he contacted the Appeals Council on August 6, 2020, he was told that "the matter was currently being reviewed," but was not provided with a specific timeframe for when it would be decided. ECF No. 21. It has been almost a year since the Court denied Defendant's request to file a motion to dismiss, without prejudice to renewal, in anticipation of a decision by the Appeals Council. ECF No. 19. In light of this ongoing delay, Plaintiff is directed to provide another update on the status of the Appeals Council's decision by **Friday, January 15, 2021**.

Dated: December 22, 2020  
White Plains, New York

**SO ORDERED.**



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ANDREW E. KRAUSE  
United States Magistrate Judge

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<sup>1</sup> The Honorable Kenneth M. Karas referred this matter to the Honorable Lisa Margaret Smith on November 6, 2019. ECF No. 16. The case was reassigned to the undersigned on October 16, 2020.